

MEMO ENDORSED

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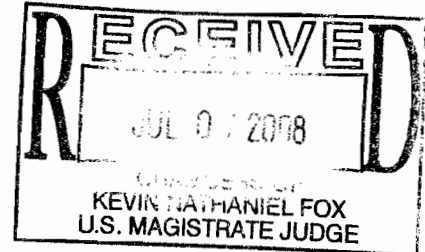
BY APPOINTMENT ONLY

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Via Facsimile (212) 805-6712

July 7, 2008

Honorable Magistrate Judge Fox
United States District Court
Eastern District of New York
United States Courthouse
New York, New York



Re: Richard Wright v. Gemini Air Cargo
Docket No: 07-CV-1756

Dear Honorable Magistrate Judge Fox:

This letter is to confirm that the undersigned law firm did not receive notification of today's settlement conference scheduled for 2:30 p.m. The first notification we received of a conference was a phone call from your clerk, Ed Pekarek at approximately 1:00 p.m. today. My partner is out of town on vacation, and, I literally walked in from vacation a few minutes prior to Mr. Pekarek's phone call. Otherwise I would have traveled to your Court notwithstanding the 1:00 p.m. notification to appear for this conference.

The parties to this action had asked Judge Lynch to schedule this conference. The parties agreed to make a good faith effort at resolution of this matter prior to the next scheduled Court appearance of August 15, 2008 before Judge Lynch.

I hereby request an adjournment of this matter and kindly ask that the Court consider rescheduling this settlement conference prior to August 15, 2008.

Thank you.

7/7/08

The above-noted settlement conference was scheduled for July 7, 2008, by an order of the Court dated June 18, 2008. The Court's calendar cannot accommodate the instant request, that the settlement conference be rescheduled for a date prior to August 15, 2008. Therefore, the application is denied.

KB/js

SO ORDERED:
Kevin Nathaniel Fox, U.S.M.J.

Respectfully submitted,

BORNSTEIN & EMANUEL, P.C.

By: Kenneth Bornstein
Kenneth Bornstein, Esq. (KB0433)